IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 160 OF 2007

Punaji Suitaram Late ..Applicant
V/s
State of Maharashtra ..Respondent.

Ms. Teja Katdare with Miss. Alpa Javeri, Advocates for the applicant.

Mr. Y.S. Shinde, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 14TH FEBRUARY, 2007.

P.C.

. Heard Ms. Katdare, learned Counsel for the applicant and Mr. Shinde, APP for the State.

2. The applicant, who is an employee of Adhunik Grihanirman Vittiya Corporation Ltd. seeks anticipatory bail in number of cases registered against the said company, its Managing Director, Directors and employees under Sections 420 and 406 r/w section 34 of Indian Penal Code and under Section 3 of Maharashtra Protection of Interest of Depositors Act. It appears that through out the Maharashtra at number of police stations offences are registered due to simultaneous demand made

by the depositors for refund of their amounts. Several Directors and employees have been already granted anticipatory bail in some other crime numbers registered at police stations in Raigad and Thane Districts. This Court, by an order dated 14th December, 2006 in Criminal Application No.4414/2006, had granted anticipatory bail to the present applicant in 14 crime numbers mentioned in para 1 of the said order subject to furnishing the Personal Bond of Rs. 10,000/- with one or two sureties in like amount in each crime number. By this application, the applicant seeks relaxation of condition of furnishing sureties on the ground that it is impossible for the applicant to furnish surety in each crime at each police station and for this purpose the learned Counsel for the applicant relies upon the order of Division Bench of this court in Writ Petition No.399/2006 passed on 21/3/2006. There also about the same complaint and similar offences the Court granted anticipatory bail on furnishing personal bond only.

3. The applicant further seeks anticipatory bail in Crime Nos. 62/2006 registered at Guhaghar Police Station, Crime No. 167/2003 registered at Vadgaon, Maval Police Station, Crime No. 23/2006 registered at

Ratnagiri police station and crime No. 25/2006 registered at Mahad Police Station. The applicant also seeks anticipatory bail apprehending arrest for the offences which may be registered at different police stations. However, Mr.Shinde, learned APP makes a statement that in view of certain directions given by the Supreme Court not to register offences under MPID, no more cases are likely to be registered by the police stations mentioned in prayer clause (c). Therefore, that apprehension is not well founded. Mr. Shinde has no objection to grant anticipatory bail on executing personal bond only in view of the earlier order passed by the Division Bench referred above.

4. In view of the above circumstances, the order passed in Criminal Application No. 4414/2006 on 14th December, 2006 stands modified to the extent that in Crime numbers referred in para 4(i) of the said order in the event of arrest, the applicant shall be released on personal bond of Rs.10,000/- without any surety. Other conditions shall be same.

5. In the event of arrest in Crime Nos. 62/2006 registered at Guhaghar Police Station, Crime No.

167/2003 registered at Vadgaon, Maval Police station, Crime No. 23/2006 registered at Ratnagiri Police Station and Crime No. 15/2006 registered at Mahad Police Station the applicant be released on personal bond of Rs. 10,000/- each with conditions that he shall make himself available to the police as and when required for investigation and shall not tamper with the prosecution evidence.

(J.H. BHATIA, J.)